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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SEP 04 2013

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIMOTHY ANDREW CASEY,

Defendant.

CR-13-138-RMP

INDICTMENT

Vio: 18 U.S.C § 2252A(a)(2),
Receipt of Child
Pornography (Count 1)

18 U.S.C §
2252A(a)(5)(B),
Possession of Child
Pornography (Count 2)

18 U.S.C. § 2253
Notice of Forfeiture
Allegations

The Grand Jury Charges:

COUNT 1

From on or about October 2005, through on or about November 7, 2012,
within the Eastern District of Washington, the Defendant, TIMOTHY ANDREW
CASEY, did knowingly receive child pornography, as defined in 18 U.S.C. §
2256(8)(A), that had been mailed, shipped and transported in interstate commerce
by any means, including by computer, to wit: still image and video files depicting
minor and prepubescent children engaging in sexually explicit conduct including
but not limited to actual and simulated intercourse, and the lascivious exhibition of
the genitals and pubic area, in violation of 18 U.S.C. § 2252A(a)(2).

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COUNT 2

On or about November 7, 2012, within the Eastern District of Washington, the Defendant, TIMOTHY ANDREW CASEY, did knowingly possess child pornography, as defined in 18 U.S.C. § 2256(8)(A), that had been mailed, shipped and transported in interstate commerce by any means, including by computer, to wit: still image and video files depicting minor and prepubescent children engaging in sexually explicit conduct including but not limited to actual and simulated intercourse, and the lascivious exhibition of the genitals and pubic area, in violation of 18 U.S.C. § 2252A(a)(5)(B).

NOTICE OF FORFEITURE ALLEGATIONS

Upon conviction of the offense(s) alleged in Counts 1 and 2 of this Indictment, Defendant, TIMOTHY ANDREW CASEY, shall forfeit to the United States, pursuant to 18 U.S.C. § 2253, any visual depiction described in section 2251, 2251A, 2252, 2252A, 2252B, or 2260 of this chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of this chapter; any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses; and, any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses, or any property traceable to such property, including but not limited to:

Three (3) removable SanDisk Cruzer USB storage devices, serial numbers: 48598213E00323EF, 20060572721DC9A31A41, and 20043513420F4F7016E2

seized from Defendant's residence, pursuant to a federal search warrant, on January 2, 2013.

If any of the above-described forfeitable property, as a result of any act or omission of the Defendant:

(a) cannot be located upon the exercise of due diligence;

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- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b), to seek forfeiture of any other property of said Defendant up to the value of the forfeitable property described above.

DATED this 21st day of September, 2013.

A TRUE BILL


Michael C. Ormsby
United States Attorney


Stephanie J. Lister
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